

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH, WILDLIFE AND PARKS

Call to Order: By **VICE CHAIRMAN PAUL CLARK**, on March 22, 2005 at 3:00 P.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Paul Clark, Vice Chairman (D)
Rep. Scott Sales, Vice Chairman (R)
Rep. Arlene Becker (D)
Rep. Dee L. Brown (R)
Rep. Robyn Driscoll (D)
Rep. George Everett (R)
Rep. Tom Facey (D)
Rep. George G. Groesbeck (D)
Rep. Robin Hamilton (D)
Rep. Larry Jent (D)
Rep. Harry Klock (R)
Rep. Roger Koopman (R)
Rep. Mike Milburn (R)
Rep. Art Noonan (D)
Rep. Don Roberts (R)
Rep. John Ward (R)
Rep. Bill Warden (R)

Members Excused: Rep. George Golie, Chairman (D)

Members Absent: Rep. John Balyeat (R)
Rep. Jill Cohenour (D)

Staff Present: Debra Polhemus, Committee Secretary
Doug Sternberg, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 410, 3/16/2005; HB 789,
3/16/2005

Executive Action: SB 77; SB 126; SB 298; HB 235;
HB 789; HB 214; HB 560

00:02:12 Break - *REPS. BROWN and EVERETT left Committee*
Hearing
00:05:05 Resume

HEARING ON SB 410

Opening Statement by Sponsor:

00:05:07 **SEN. STEVEN GALLUS (D), SD 37**, opened the hearing
on **SB 410**, Revise law on urban wildlife.

Proponents' Testimony:

00:06:18 Larry Peterman, Chief of Field Operations, Montana
Fish, Wildlife & Parks

[EXHIBIT\(fih63a01\)](#)

[EXHIBIT\(fih63a02\)](#)

[EXHIBIT\(fih63a03\)](#)

[EXHIBIT\(fih63a04\)](#)

[EXHIBIT\(fih63a05\)](#)

[EXHIBIT\(fih63a06\)](#)

[EXHIBIT\(fih63a07\)](#)

[EXHIBIT\(fih63a08\)](#)

[EXHIBIT\(fih63a09\)](#)

[EXHIBIT\(fih63a10\)](#)

[EXHIBIT\(fih63a11\)](#)

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[EXHIBIT\(fih63a14\)](#)

[EXHIBIT\(fih63a15\)](#)

[EXHIBIT\(fih63a16\)](#)

[EXHIBIT\(fih63a17\)](#)

[EXHIBIT\(fih63a18\)](#)

[EXHIBIT\(fih63a19\)](#)

[EXHIBIT\(fih63a20\)](#)

[EXHIBIT\(fih63a21\)](#)

[EXHIBIT\(fih63a22\)](#)

00:13:36 *REP. COHENOUR arrived at Committee Hearing.*

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:14:16 REP. ROBERTS
00:14:52 REP. BECKER
00:16:49 REP. KOOPMAN
00:19:13 REP. WARD
00:22:01 REP. NOONAN
00:23:10 VICE CHAIR CLARK

Closing by Sponsor:

00:26:06 SEN. STEVEN GALLUS (D), SD 37 closed the hearing
on SB 410.

00:26:55 CHAIRMAN GOLIE arrived at Committee Hearing.

HEARING ON HB 789

Opening Statement by Sponsor:

00:27:18 REP. RICK MAEDJE (R), HD 2, opened the hearing on
HB 789, Revise salmon fishing regs on Lake
Kooconusa-second rod fee for bull trout manag.

Proponents' Testimony: None.

Opponents' Testimony: None.

Informational Testimony:

00:31:10 Larry Peterman, Chief of Field Operations, Fish,
Wildlife & Parks
[EXHIBIT \(fih63a23\)](#)

Questions from Committee Members and Responses:

00:35:17 REP. WARD

Closing by Sponsor:

00:36:05 REP. RICK MAEDJE (R), HD 2 closed the hearing on
HB 789.

EXECUTIVE ACTION ON SB 77

00:39:43 **Motion:** REP. HAMILTON moved that SB 77 BE
CONCURRED IN.

Discussion:

00:39:58 REP. CLARK
00:41:12 REP. WARDEN
00:41:43 REP. MILBURN
00:42:03 CHAIRMAN GOLIE
00:42:33 REP. FACEY
00:42:56 REP. JENT
00:43:19 REP. KOOPMAN

00:44:09 REP. ROBERTS left Committee Hearing.

00:45:01 REP. SALES
00:46:07 REP. WARDEN
00:46:33 CHAIRMAN GOLIE
00:47:15 REP. CLARK

00:49:08 **Vote:** Motion carried unanimously by roll call vote with REPS. BROWN, EVERETT, BALLYEAT and ROBERTS voting by proxy. REP. LANGE will carry SB 77.

EXECUTIVE ACTION ON HB 235

00:51:28 **Motion:** REP. WARDEN moved that HB 235 DO PASS.

Discussion:

00:51:55 REP. CLARK
00:52:39 REP. COHENOUR
00:53:24 REP. JENT
00:54:56 REP. CLARK
00:55:38 Doug Sternberg, Legislative Services Division
00:56:50 REP. COHENOUR
00:57:14 REP. WARDEN
00:57:30 REP. SALES
00:58:18 REP. CLARK
00:58:57 REP. WARDEN

00:59:33 Break
01:05:26 Resume

Discussion (con't):

01:05:36 REP. CLARK
01:06:07 CHAIRMAN GOLIE
01:07:09 REP. FACEY

01:07:30 Vote: Motion failed 10-10 by roll call vote with REPS. BALYEAT, BROWN, EVERETT, KLOCK, KOOPMAN, MILBURN, ROBERTS, SALES, WARD, and WARDEN voting aye and REPS. BROWN, EVERETT, BALYEAT and ROBERTS voting by proxy.

EXECUTIVE ACTION ON HB 214

01:08:46 Motion: REP. SALES moved that HB 214 DO PASS.

Discussion:

01:09:04 REP. SALES
01:09:49 REP. CLARK
01:11:39 REP. BECKER
01:12:02 REP. SALES
01:12:26 CHAIRMAN GOLIE

01:13:51 Vote: Motion failed 7-13 by roll call vote with REPS. COHENOUR, FACEY, HAMILTON, JENT, KOOPMAN, MILBURN, and NOONAN voting aye and REPS. BROWN, EVERETT, BALYEAT and ROBERTS voting by proxy.

EXECUTIVE ACTION ON HB 560

01:15:14 Motion: REP. CLARK moved that HB 560 DO PASS.

Discussion:

01:15:48 REP. CLARK

01:17:01 Motion: REP. JENT moved that HB 560 BE AMENDED.

[EXHIBIT\(fih63a24\)](#)

[EXHIBIT\(fih63a25\)](#)

Discussion:

01:17:50 REP. SALES
01:18:26 REP. MILBURN
01:19:24 REP. DRISCOLL
01:20:06 REP. JENT
01:23:22 REP. WARDEN

01:24:17 Vote: Motion failed 10-10 by roll call vote with REPS. BECKER, CLARK, COHENOUR, DRISCOLL, FACEY, GOLIE, GROESBECK, HAMILTON, JENT, and NOONAN voting aye and REPS. BROWN, EVERETT, BALYEAT and ROBERTS voting by proxy.

01:25:28 **REP. CLARK** withdrew his DO PASS HB 560 Motion
without objection.

EXECUTIVE ACTION ON SB 126

01:26:10 **Motion:** **REP. FACEY** moved that SB 126 BE CONCURRED
IN.

Discussion:

01:26:20 **REP. FACEY**

01:27:11 **REP. KOOPMAN**

01:27:46 **Vote:** Motion carried unanimously by voice vote
with REPS. BROWN, BALYEAT, ROBERTS and EVERETT
voting by proxy. **REP. FACEY** will carry SB 126.

EXECUTIVE ACTION ON SB 298

01:29:07 **Motion:** **REP. HAMILTON** moved that SB 298 BE
CONCURRED IN.

Discussion:

01:29:26 **CHAIRMAN GOLIE**

01:31:37 **REP. FACEY**

01:32:32 **Vote:** Motion carried unanimously by roll call
vote with REPS. BROWN, EVERETT, BALYEAT and
ROBERTS voting by proxy. **REP. WARDEN** will carry
SB 298.

EXECUTIVE ACTION ON HB 789

01:34:13 **Motion:** **REP. KLOCK** moved that HB 789 DO PASS.

01:34:44 **Motion:** **REP. KLOCK** moved that HB 789 BE AMENDED.
[EXHIBIT](#)(fih63a26)

Discussion:

01:35:16 **REP. KLOCK**

01:35:49 **Vote:** Motion carried 19-1 by voice vote with **REP.**
CLARK voting no and REPS. BROWN, BALYEAT, EVERETT
and ROBERTS voting by proxy.

01:36:09 **Motion:** **REP. KLOCK** moved that HB 789 DO PASS AS
AMENDED.

Discussion:

01:36:32 **CHAIRMAN GOLIE**

01:37:18 **REP. FACEY**

01:37:50 Doug Sternberg, Legislative Services Division

01:38:26 **REP. CLARK**

01:41:27 **Vote: Motion failed 10-10 by roll call vote with REPS. BECKER, DRISCOLL, FACEY, GROESBECK, HAMILTON, KLOCK, KOOPMAN, MILBURN, WARD, and WARDEN voting aye and REPS. BROWN, EVERETT, BALYEAT and ROBERTS voting by proxy.**

ADDITIONAL EXECUTIVE ACTION ON HB 214

01:42:55 **Motion/Vote: REP. CLARK moved that HB 214 BE TABLED AND THE VOTE REVERSED. Motion carried by voice vote.**

ADJOURNMENT

Adjournment: 5:05 P.M.

REP. GEORGE GOLIE, Chairman

DEBRA POLHEMUS, Secretary

GG/dp

Additional Exhibits:

EXHIBIT ([fih63aad0.PDF](#))